(Spl.-H.C.A.S.C.D., 78-e)

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI, GOA.
APPELLATE SIDE

DISTRICT :

CIVIL REVISION APPLICATION NO. 25 OF 2004

Office Notes, Office Memoranda of Quorum, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Ms. Sudha C. Pai Kir, Advocate for the Petitioner.

CORAM : A. P. LAVANDE, J.

DATE : 17th FEBRUARY, 2005.

P.C. :

1. By this Revision, the petitioner who is the original plaintiff in Regular Civil Suit No. 7/2002 pending before the Civil Judge, Junior Division, Canacona, challenges the order dated 17/07/04 dismissing the

application filed by the petitioner under Order XII Rule 6 of C.P.C.

2. According to the petitioner, the application was filed on the ground that defendant had admitted the claim of the plaintiff and therefore the trial Court ought to have decreed the suit in terms of Order XII Rule 6 of C.P.C. In the impugned order, the trial Court has held that there is no admission on part of defendant/respondent to warrant the decree on admission.

3. Ms. Kir, learned Counsel appearing for the petitioner submits that the trial Court has erred in law in not appreciating the fact that the defendant has not denied the case set up by the

plaintiff.

4. I have gone through the records. I am unable to find any jurisdictional error committed by the trial Court while passing the impugned order. No interference is called for by this Court and hence the Revision is summarily rejected.

A. P. LAVANDE, J.

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